

SHB 3291 - S COMM AMD

By Committee on Early Learning & K-12 Education

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** This act shall be known as the community  
4 schools act of 2008.

5 NEW SECTION. **Sec. 2.** The legislature finds that young people need  
6 a wide range of opportunities and a strong support system to succeed.  
7 A quality academic program is necessary, but is not sufficient given  
8 societal factors, family circumstances, poverty, and health problems.  
9 All children regardless of their economic, racial, or family  
10 circumstances deserve access to a full array of opportunities. The  
11 legislature also finds that cooperative partnerships and joint use of  
12 facilities between public schools, local governments, early learning  
13 providers, health and social service providers, and postsecondary  
14 institutions can result in the effective use of federal, state, local,  
15 and community resources. Such partnerships build on community  
16 strengths, foster family and community engagement, share accountability  
17 for results, and set high expectations for all. The legislature  
18 further finds that surplus schools are community assets that should be  
19 reused for maximum public good to benefit communities. Therefore, it  
20 is the intent of the legislature to provide capital grant funds for the  
21 development of community schools and to convert empty school buildings  
22 into community facilities. Grants may be used for the acquisition,  
23 construction, rehabilitation, and improvement of facilities to assist  
24 with the implementation of this act. The goal is to: (1) Improve the  
25 coordination, availability, and effectiveness of services for children  
26 and families; (2) ensure that children come to school ready to learn  
27 every day; (3) enable families to participate in the education of their  
28 children; and (4) enable more efficient use of federal, state, local,  
29 and private sector resources that serve children and families.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 43.63A RCW  
2 to read as follows:

3        (1) The definitions in this subsection apply throughout this  
4 section unless the context clearly requires otherwise.

5        (a) "Advisory board" means an independent advisory board including,  
6 but not limited to, a representative from the office of the  
7 superintendent of public instruction, an early learning expert, a youth  
8 recreational facility expert, a social service facility expert, a local  
9 school district representative, and a public higher education  
10 representative.

11        (b) "Community school" means both a place and a set of partnerships  
12 between entities including, but not limited to, public schools,  
13 postsecondary institutions, local governments, nonprofit early learning  
14 providers, and other nonprofit community resources with an integrated  
15 focus on academics, health and social services, youth and community  
16 development, and community engagement.

17        (c) "Eligible entity" means public school districts, local  
18 governments, nonprofit organizations, nonprofit early learning  
19 providers, and tribal governments.

20        (d) "Qualified services" means the following:

21        (i) Early childhood education;

22        (ii) Remedial education activities and academic enrichment  
23 activities;

24        (iii) Programs that promote parental involvement and family  
25 literacy;

26        (iv) Youth development programs;

27        (v) Parent leadership development activities;

28        (vi) Parenting education activities;

29        (vii) Child care services;

30        (viii) Community service opportunities;

31        (ix) Programs that provide assistance to students who have been  
32 truant, suspended, or expelled;

33        (x) Job training and career counseling services;

34        (xi) Nutrition services;

35        (xii) Primary health and dental care;

36        (xiii) Mental health prevention and treatment services;

37        (xiv) Adult education, including instruction in English as a second  
38 language; and

1 (xv) Other services as determined by the advisory board.

2 (e) "Surplus school" means a facility that is determined to be  
3 surplus to the needs of a district by the local school board.

4 (2) The department of community, trade, and economic development  
5 shall:

6 (a) Establish a competitive grant process to solicit project  
7 proposals that assist eligible entities in acquiring, constructing,  
8 rehabilitating, or improving facilities, including surplus schools, to  
9 be used for the delivery of nonresidential qualified services in  
10 surplus school buildings, on school grounds, or within reasonable safe  
11 walking distance for the age of the students;

12 (b) Evaluate and rank applications in consultation with an  
13 independent advisory board using objective criteria; and

14 (c) Establish a prioritized list of capital projects in  
15 consultation with the advisory board and submit the list annually to  
16 the governor and the legislature in the department's capital budget  
17 request beginning with the 2009-2011 biennium. The list must include  
18 a description of each project, the amount of recommended state funding,  
19 and documentation of nonstate funds to be used for the project. The  
20 total amount of recommended state funding for projects on an annual  
21 project list shall not exceed ten million dollars.

22 (3) In evaluating and ranking applications in consultation with an  
23 independent advisory board, the department of community, trade, and  
24 economic development shall give priority consideration to projects that  
25 provide multiple qualified services and that demonstrate usage beyond  
26 the traditional school day to include usage before and after school, on  
27 weekends, and all year use.

28 (4) Grants under this section shall not exceed fifty percent of the  
29 total cost of the project. Any project award shall not exceed twenty-  
30 five percent of the recommended state funding for projects on the  
31 department's annual project list.

32 (5) Nonstate matching funds may include cash, the value of real  
33 property when acquired solely for the purpose of the project, public  
34 investment in open space acquisition and development adjacent to the  
35 project, and in-kind contributions.

36 (6) The department of community, trade, and economic development  
37 may not:

- 1 (a) Require that state funds be the last to be spent on a project;  
2 or
- 3 (b) Set a monetary limit to funding requests.
- 4 (7) The department of community, trade, and economic development  
5 shall not sign contracts or otherwise financially obligate funds under  
6 this section until the legislature has approved a specific list of  
7 projects.
- 8 (8) In contracts for grants authorized under this section, the  
9 department of community, trade, and economic development shall include  
10 provisions that require that capital improvements must be held by the  
11 grantee for a specified period of time appropriate to the amount of the  
12 grant and that facilities must be used for the express purpose of the  
13 grant. If the grantee is found to be out of compliance with provisions  
14 of the contract, the grantee shall repay to the state general fund the  
15 principal amount of the grant plus interest calculated at the rate of  
16 interest on state of Washington general obligation bonds issued most  
17 closely to the date of authorization of the grant.
- 18 (9) As part of the application process, applicants must submit a  
19 comprehensive plan that includes information on the following:
- 20 (a) A list of partner entities that will assist the lead eligible  
21 entity to provide or coordinate qualified services;
- 22 (b) A memorandum of understanding between the lead eligible entity  
23 and each partner entity describing the role each entity will assume;
- 24 (c) Plans for joint utilization and maintenance of school and  
25 community facilities by the lead eligible entity and its partner  
26 entities, as well as liability considerations;
- 27 (d) The student, family, and school community to be served,  
28 including information about the number of students, families, and  
29 community residents to be served, frequency of services, and  
30 information related to the percent of local elementary students that  
31 receive free and reduced-price meals in the target area;
- 32 (e) Existing qualified services available at each school to be  
33 served and in the community involved;
- 34 (f) The location of the proposed project, including that if the  
35 project is not on school grounds, or is not a surplus school, then  
36 documentation is required that the proposed project is within a  
37 reasonable safe walking distance for the age of the students;

1 (g) Qualified services to be provided or coordinated by the lead  
2 eligible entity and its partner entities; and

3 (h) An examination of capital and operating funding sources that  
4 applicants intend to apply to the project and qualified services at  
5 each school to be served, whether such funding is derived from grants  
6 under this act or from other federal, state, local, or private sources.

7 (10) Project applicants must also demonstrate that the proposed  
8 project is ready to proceed, will make timely use of the funds, and  
9 requires state funding to accomplish a discrete, usable phase of the  
10 project.

11 (11) If state grant funds under this act are used for the  
12 acquisition of surplus school facilities, the sale proceeds must be  
13 used by the local school board disposing of such property for  
14 renovation, replacement, or new construction of school facilities in  
15 the district.

16 **Sec. 4.** RCW 28A.525.050 and 2006 c 263 s 303 are each amended to  
17 read as follows:

18 All applications by school districts for state assistance in  
19 providing school plant facilities shall be made to the superintendent  
20 of public instruction. Studies and surveys shall be conducted by the  
21 superintendent for the purpose of securing information relating to (1)  
22 the kind and extent of the school plant facilities required and the  
23 urgency of need for such facilities in districts that seek state  
24 assistance, (2) the ability of such districts to provide capital outlay  
25 funds by local effort, (3) the need for improvement of school  
26 administrative units and school attendance areas among or within such  
27 districts, and (4) any other pertinent matters. Studies and surveys  
28 must also include an inventory of school district facilities jointly  
29 used, or that could potentially be used for other community purposes,  
30 including detail on cooperative partnerships. School districts shall  
31 submit a long-term comprehensive plan for community use of school  
32 buildings. Recommendations respecting action on the applications shall  
33 be submitted to the superintendent of public instruction.

34 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.525  
35 RCW to read as follows:

36 (1) The superintendent of public instruction shall provide a ten

1 percent enhancement to the area cost allowance for school districts  
2 requesting state assistance under this chapter if the district can  
3 certify and provide documentation that they have a comprehensive plan  
4 for cooperative partnerships that include the joint use of school  
5 facilities for multiple qualified services for the facility proposed  
6 for assistance. Documentation must include:

7 (a) A list of other eligible entities that will assist the school  
8 district to provide or coordinate qualified services;

9 (b) A memorandum of understanding between the school district and  
10 the other eligible entities describing the role each entity will  
11 assume;

12 (c) Plans for joint utilization and maintenance of the school  
13 facility by the school district and its other eligible entities, as  
14 well as liability considerations;

15 (d) The student, family, and school community to be served,  
16 including information about the number of students, families, and  
17 community residents to be served, frequency of services, and  
18 information related to the percent of local elementary students that  
19 receive free and reduced-price meals in the target area;

20 (e) Qualified services to be provided or coordinated by the school  
21 district and its other eligible entities; and

22 (f) A description of capital and operating funding sources that the  
23 school district intends to apply to the project and qualified services  
24 at the school to be served, whether such funding is derived from grants  
25 under this act or from other federal, state, local, or private sources.

26 (2) The office of the superintendent of public instruction shall  
27 develop rules for implementation of this section by September 1, 2008.  
28 The superintendent of public instruction shall adopt rules that set  
29 specific time requirements of joint use beyond the traditional school  
30 day to include before and after school use, weekends, and all year use,  
31 in order for a district to be eligible for the area cost allowance  
32 enhancement.

33 (3) For the purposes of this section, the terms "eligible entity"  
34 and "qualified services" have the same meaning as defined in section  
35 3(1) of this act."

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1        On page 1, line 1 of the title, after "schools;" strike the  
2 remainder of the title and insert "amending RCW 28A.525.050; adding a  
3 new section to chapter 43.63A RCW; adding a new section to chapter  
4 28A.525 RCW; and creating new sections."

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